

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

James A. Ventura

Respondent

Civil Citation No. 61921

1004 Kenilworth Drive

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on July 22, 2009 for a Hearing on a citation for violations under the Baltimore County Zoning Regulations (BCZR) section 428, failure to license/remove untagged/inoperable or damaged/disabled motor vehicle on residential property known as 1004 Kenilworth Drive, 21204.

On July 8, 2009, pursuant to Baltimore County Code §3-6-205, Inspector Latoshia Rumsey-Scott issued a Code Enforcement & Inspections Citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$3,000.00 (three thousand dollars).

The following persons appeared for the Hearing and testified: James A. Ventura, Respondent and Latoshia Rumsey-Scott, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. A Correction Notice was issued on June 1, 2009 for removal of untagged/inoperative Ford truck from the driveway of this property. This Citation was issued on July 8, 2009.

B. Photographs in the file show a black and white Ford Bronco with expired license plates. Respondent James Ventura testified that he is trying to sell the vehicle. County zoning regulations prohibit the outside storage of inoperative motor vehicles on a residential lot. Section 428.1(A). The outside storage of unlicensed motor vehicles is also prohibited, except for one vehicle per dwelling unit for a period not exceeding 15 days in any calendar year. Section 428.1(B). Respondent must put current tags on the vehicle or remove it from the property.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$500.00 (five hundred dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violation is corrected by August 10, 2009. If the Respondent fails to correct the violation, the civil penalty shall be imposed.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 28th day of July 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

NOTICE TO RESPONDENT: The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.

MZF/jaf